



## be Paul Gregson.

WEDNESDAY MORNING JAN. 18, 1882.

### SPRING'S BILL.

Should the jury in the Oregon case fail to convict the assassin, the question will be raised with more than usual emphasis whether society can do nothing to protect itself against incidents so hideous as this. In his defense it is argued that "it would be monstrous and shocking to the sense of justice of any man that an accused person should be condemned to the gallows about whose sanity any reasonable fair man could raise a question." But a contemporary answers this fully by saying that the hanging of an insane man is more shocking than the hanging of a sane one; if the insane man knew what he was doing when he committed the crime," and that "if no man is to be hanged about whose sanity the least doubt can exist, capital punishment will be abolished. In the case of Guiteau the defense has set up a ploy which is purely fictitious, spasmodic or temporary insanity, of the kind heretofore had, has no existence in fact. A man may be temporarily insane while suffering from acute cerebral disease, or while laboring under compression of the brain resulting from a blow, or while under the effect of drugs or stimulants. But no man was ever sane moment, insane the next, and sane again the next. No man was ever insane solely for the duration of a crime, and they came again. The occurrence of such cases is a legal fabrication. It has the support of no authority of any reputation or character. It is in fact a complete delusion and imposition."

Mr. Springer of Illinois has introduced in the house of representatives a bill which declares that "no person indicted in the United States courts shall be acquitted on the ground of insanity, idiocy, lunacy or other unsoundness of mind, except on proof that at the time of committing the offense he was laboring under such defect of reason as either not to know the nature and quality of the act he was doing, or not to know it was unlawful or wrong." This looks sound at first view, but may be the main question open to the proponent of the most confusing and least valuable of all testimony in such cases, namely, that of "temper," and moreover it is tantamount to admitting that society is powerless to protect itself until the insane person has manifested his mania by actually killing a victim. This leaves open the same loophole through which many murderers have escaped. It is absurd to allow the claim of insanity in any case where it was not indicated before the offense was committed and where the person committing it is just the same afterwards that he always was before. The notion of an irresistible, overwhelming impulse, causing temporary aberration, could be put up as a defense in any case whatever.

Springer's bill further provides that, "If upon the trial of such case the jury shall find the defendant not guilty by reason of insanity, the court shall order him committed to an insane asylum until discharged in due course of law." This would probably send many murderers to the insane asylum, but how long would they stay there? Even Guiteau does not claim to have been insane since he "removed" the president, and it is apparent that if he should be committed to an insane asylum a discharge would not be difficult to secure. The fact is, society is apparently helpless to protect itself from the first victim of homicidal mania. The best it can do is to prevent a recurrence of the crime. This is comparatively easy when the person is actually insane, but suppose he successfully plays a farce after the tragedy, as most people believe Guiteau has been doing, then the question becomes more perplexing. Would the commitment of an acknowledged sane murderer to the asylum, as sane, be any protection to society? Would there not be more hope of a discharge as狂妄 as a "futile course of law" in time from the asylum, than of pardon or escape from the penitentiary? At least it looks that the true remedy was not in that direction. But in fact hanging the thing, except in those cases of manifest insanity which no one can question. No one doubts that the crop of cut-throats would be diminished by it.

### ADMISSIONS OF WASHINGTON.

A bill introduced in the house of representatives by Mr. Brashears on the 14th December to provide for the formation and admission into the union of the state of Washington was read twice and referred to the committee on territories. It provides for the election of members of a constitutional convention, the said convention to meet at Walla Walla to form a constitution and state government. After the formation of such constitution the instrument is to be submitted to a vote of the people for ratification or rejection. The bill grants sections sixteen and thirty-six in every township to the state for school purposes, with the other donations of land usual upon admission of new states. The boundaries designated in the bill would include nearly all that part of Idaho lying north of the forty-fifth parallel and east of the Bitter Root mountains. The state would be somewhat irregular in form on its southeastern and eastern border. The boundary would be the forty-sixth parallel, as now, from the point where this parallel intersects the Columbia river near Wallula to where it intersects Snake river south of Lewiston; thence southerly along the main channel of Snake river to the forty-fifth parallel; thence east along said parallel to its intersection with the meridian thirty seven degrees thirty minutes west; thence north along said meridian to the crest of the Bitter Root mountains; thence northerly along the crest of the Bitter Root range to the thirty-ninth meridian west, and thence north along said meridian to the British Columbia line. This would include the whole of Northern Idaho, except the extremely mountainous and practically uninhabitable portion, which it would seem might also be included in the new state quite as well as to be left in its very irregular form to Idaho. The territory embraced within the boundaries designated now has over 100,000 inhabitants, and the population is increasing at a rate which will certainly give a total in excess of the basis of congressional apportionment before a constitution can be formed and the state admitted. We hope Mr. Brashears' bill will pass without delay. In extent and variety of resources Washington is by far our best territory. It has capacity to sustain a population of millions. Its present population, unlike that of most of the other territories, is of the most permanent and excellent kind. It is a standing objection, urged at the last, that no more states like Nevada should be admitted. But Nevada is a desert, while Washington is one of the most fertile divisions of the United States, with wealth and population already so far ahead of Nevada that no comparison is possible. Besides, Nevada has no future, while Washington will certainly become one of the greatest states of our union.

The exact number of immigrants who arrived upon our shores during the year 1881 was 432,635. Germany contributed 188,255, Ireland 62,106 and England 36,552.

### THE GAME OF GREEK.

The Astoria paper fears that the dignity of Major Thompson's mission as the representative of the Portland board of trade at Washington will be hurt if, while in the east he negotiates for freight on service for the Columbia river bar. This it finds would make it appear that the bar needs freighters rather than to be depended on, and would show a personal business interest in the improvement work for, and so militate against a favorable response. The city is not able to see that the greater the business interest Mr. Thompson shows in the proposed improvement, and the greater reaches himself and his associates manifest in doing their part by putting efficient service on the bar, the greater will be the chance of securing aid. The government helps those who help themselves much more readily than those who merely complain that they are neglected. But it is the third clause of the Astorians' protest which is its inspiration and motive. It is that this action will not be satisfactory to others who have an interest in the iron in the fire and don't want to see them burned." It is these iron in the fire which embarrasses the commerce of the state and reduces the income of every section of Oregon and Washington which exports a bushel of wheat. And with these iron Portland proposes to meddle, not for the benefit of the commerce, but for the benefit of the iron.

Mr. Vincent's bill, a capital measure, is that if no man is to be hanged about whose sanity the least doubt can exist, capital punishment will be abolished.

In Brownsville, Jan. 15, 1882.—In the 10th M. S. S. at the corner of 10th and W. 10th Streets, B. and M. M. Brown, proprietors of Brown's Hotel, 8th and Broadway.

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### NEW TO-DAY.

UNPUBLISHED HOUSE WANTED.—SAVANNAH, Georgia.—Tenement house, address with rooms, 11th and 12th Streets.

### FOR RENT.

UNPUBLISHED HOUSE WANTED.—SAVANNAH, Georgia.—Tenement house, address with rooms, 11th and 12th Streets.

### LOST.

UNPUBLISHED HOUSE WANTED.—SAVANNAH, Georgia.—Tenement house, address with rooms, 11th and 12th Streets.

### FOR SALE.

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M. C. M. CO.,  
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101 St. bed, Pine and Ash.  
RIEDMAN,  
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